

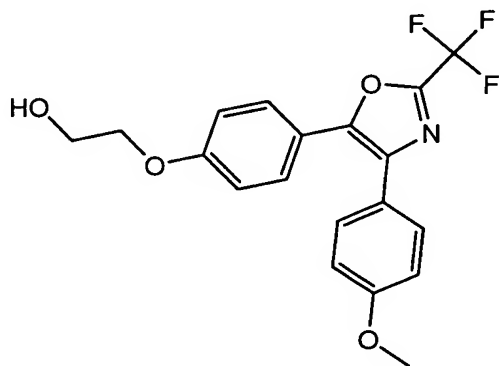
REMARKS

The Examiner is requiring restriction in the above identified application as follows:

- Group I: Claims 1-9, 12-15 and 18-20, drawn to products of formula (I) wherein Y is CH;
- Group II: Claims 1-9, 12-15, and 18-20, drawn to products of formula (I) wherein Y is N;
- Group III: Claims 10-11, drawn to processes of making products of formula (I) wherein Y is CH;
- Group IV: Claims 10-11, drawn to processes of making products of formula (I) wherein Y is N;
- Group V: Claims 16-17, drawn to methods of using products of formula (I) wherein Y is CH; and
- Group VI: Claims 16-17, drawn to methods of using products of formula (I) wherein Y is N.

Additionally, the Examiner is requiring the election of a single disclosed species by Example number, page number, and structural depiction.

Applicants have elected, with traverse, Group I: Claims 1-9, 12-15, and 18-20. Additionally, Applicants have provisionally elected Example 41, found at page 58 of the specification, which has the structure:



Claims 1-6, 8, and 10-20 read on the elected species.



At the outset, Applicants traverse the Restriction Requirement on the grounds that a search of all the claims would not present an undue burden.

MPEP subsection 803 states:

If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

Applicants respectfully submit that having to search all the claims would not impose a serious burden on the Office.

Applicants further note that MPEP §821.04 states:

If the Applicant elects claims directed to the product, and a product claim is subsequently found allowable, withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim will be rejoined.

Applicants respectfully submit that should the elected Group be found allowable, the non-elected process claims should be rejoined.

Finally, with regard to the election of species requirements, Applicants request, should the elected species be found allowable, that the Office expand its search to include the non-elected species.

Applicants submit this application is now in condition for examination on the merits and early notification to that effect is earnestly solicited.

Respectfully submitted,

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